

Attorney Docket No. MONT-028/01US

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duane L. JOHNSON, et al.

Confirmation No.: 8933

Serial No.: 10/575,528

Filed: April 10, 2006

For: PRODUCTION OF GLUTEN-FREE FOOD PRODUCTS USING TIMOTHY GRASS

U.S. Patent and Trademark Office
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 401 Dulany Street
 Alexandria, VA 22314

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements under 35 USC 371 mailed February 5, 2007, enclosed are:

- Copy of the Notification of Missing Requirements of Application
- Executed Declaration (6 pgs.)

and the payment of the following fee(s):

- Please charge \$65.00 to Deposit Account No. 50-1283 for the total fee (small entity).

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

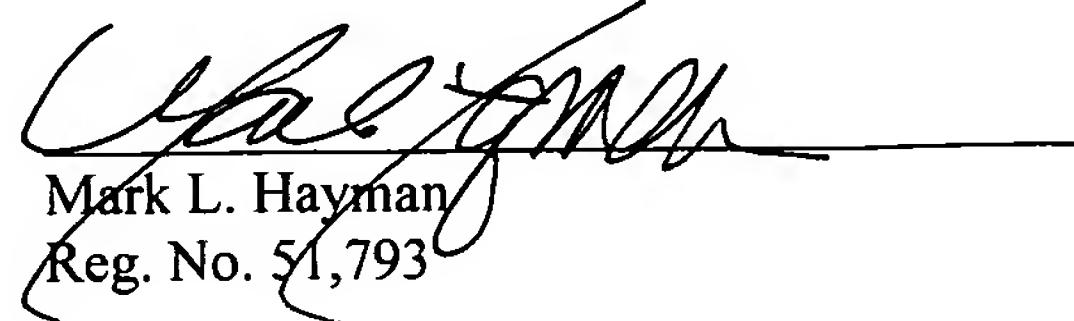
04/04/2007 MKAYPAGH 00000060 501283 10575528

01 FC:2617 Dated: 65.00 DA-2-07

CUSTOMER NO: 58249
 COOLEY GODWARD KRONISH LLP
 ATTN: Patent Group
 1200 19th Street, NW
 Suite 500
 Washington, D.C. 20036-2402
 Tel: (202) 842-7800
 Fax: (202) 842-7899

By:

Respectfully submitted,
COOLEY GODWARD KRONISH LLP


 Mark L. Hayman
 Reg. No. 51,793

306509-2174

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,528	Duane L. Johnson	MONT-028/01US

INTERNATIONAL APPLICATION NO.

PCT/US04/33410

I.A. FILING DATE	PRIORITY DATE
10/12/2004	10/10/2003

58249
 COOLEY GODWARD KRONISH LLP
 ATTN: Patent Group
 Suite 500
 1200 - 19th Street, NW
 WASHINGTON, DC 20036-2402

CONFIRMATION NO. 8933
 371 FORMALITIES LETTER



OC000000022328419

Date Mailed: 02/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/10/2006
- Copy of the International Search Report filed on 04/10/2006
- Preliminary Amendments filed on 04/10/2006
- U.S. Basic National Fees filed on 04/10/2006
- Priority Documents filed on 04/10/2006
- Specification filed on 04/10/2006
- Claims filed on 04/10/2006
- Abstracts filed on 04/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

RECEIVED

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

ENTERED M.P. 2-8-07
 DUE: Missing Parts 4-5-07 COOLEY GODWARD KRONISH LLP
 EOL: 9-5-07

FEB 08 2007

306509-2174

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- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,528	PCT/US04/33410	MONT-028/01US

FORM PCT/DO/EO/905 (371 Formalities Notice)